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This issue's excerpt:
Four years of welfare reform
page 16

PBot inside

Intellectual Ammunition

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Potshots

You have not converted a man because you have silenced him.

JOHN MORELY

Should this country ever fall like the Roman Empire, I suspect it will be caused by a universal revolution of average, disgusted people who are way beyond fed up with impersonal, annoying, and extremely frustrating telephone menus and phone mail.

KEN GREENBERG

Know-it-alls in the school system do not lose one dime or one hour's sleep if their bright ideas turn out to be all wrong, or even disastrous, for the child. It is parents and children who pay the price.

THOMAS SOWELL

It seems to me that the alleged ideological conflict between Democrats and Republicans has all the authenticity of the rivalries in the World Wrestling Federation.

ED CRANE

To curse a farm is like desecrating the flag. To curse a new subdivision or factory, on the other hand, is all in a day's work.

HAROLD HENDERSON

We need leaders who will wake up each morning prepared to make the decision that will end their careers.

TOM COBURN (R-OK)

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Globalization Empowers Everyone

by Michael B. Barkey

John Sweeney, president of the AFL-CIO, cut to the heart of the opposition in many quarters to free trade and "globalization" in his remarks at the inauguration of the Campaign for Global Fairness, when he said:

The AFL-CIO and our affiliates believe the ultimate test is whether globalization increases freedom, promotes democracy, and helps to lift the poor from poverty; whether it is empowering the many, not just the few; whether its blessings are widely shared; whether it works for working people. Clearly, the global market that has been forged in the last decades fails this test.

But does globalization truly fail to make the grade?

MATERIAL BENEFITS

"Globalization is associated with improvements in overall human well-being," writes Jay Mandle, a liberal economist at Colgate University, in the June 2 issue of *Commonweal*. Mandle reached that conclusion by comparing the level of exports and GDP per capita for a country with that country's score on the United Nations Human Development Index (HDI), which combines information on life expectancy, education, and material well-being. "The countries with the lowest HDI are those that score lowest in the other two measures; those with the highest human welfare scores export the most and have the highest output levels."

On an aggregate level, countries open to international trade grow at a much faster rate than countries less open to trade. A well-known paper by Jeffrey Sachs and Andrew Warner of Harvard University reports that developing countries with open economies grew by an average of 4.5 percent annually during the 1970s and 1980s, while closed economies grew by only 0.7 percent. Developed countries with open economies grew during the same time period by 2.3 percent annually, while those countries with closed economies grew by 0.7 percent.

The growth that results from international trade benefits working families, not only the well-to-do. The *American Economic Review* published a paper last year that found trade exerts "a qualitatively large and robust . . . positive effect on income." In fact, according to the 150-country analysis conducted by economists Jeffrey Frankel and David Romer, an increase in the ratio of trade to Gross Domestic Profit (GDP) by one percentage point raises real income per person by between 0.5 and 2 percent.

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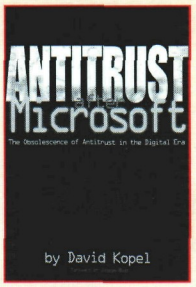

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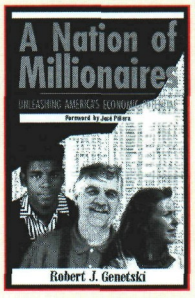

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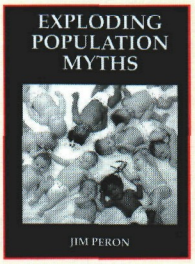

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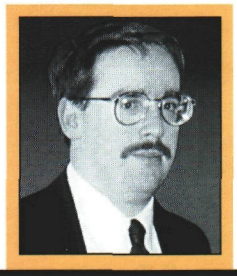

News from the Heartland

by John R. La Plante
Managing Editor

While conservatives often accuse liberals of being susceptible to the "political temptation"—the belief that politics can solve any problem—it's actually an equal-opportunity malady. If only we could . . . (fill in the blank with a program to enact, or kill; a tax to cut, or raise).

One plan for which conservatives had too much hope was welfare reform. Lisa Oliphant, whose work we feature in this issue's Excerpt (pages16-17), examines welfare four years after the landmark 1996 reform. While much good has been accomplished, she finds, the results have been oversold.

Caseloads have in fact declined by nearly half from 1996 to 1998, and those who leave welfare for work are generally better off. Yet two-thirds of former welfare recipients still rely on various tax credits and non-cash benefits.

More importantly, welfare reform has not moved the long-term unemployed and difficult-to-place individuals off cash assistance. Certainly some further government measures—most importantly, perhaps, improving the education system—could help encourage self-sufficiency. But that's not enough.

The primary precursor to long-term dependence, Oliphant writes, is out-of-wedlock childbearing. While we can alter the incentive system—Oliphant encourages Congress to prohibit new, single mothers from signing onto the rolls—the building of a self-sufficient and responsible individual lies beyond politics, in the spheres of religious institutions, families, and voluntary associations.

FEATURED COLUMNS

Jay Greene, our guest education columnist, presents exciting news about how to improve academic achievement, especially among African-Americans.

Less expensive than reducing class sizes, more effective than rigorous testing, the answer is allowing parents to choose where their children go to school. *Theory* has told us that for quite some time; now we have solid, controlled experiments to prove it.

Clink Bolick, whose Institute for Justice has spearheaded the defense of school choice efforts across the country, uses this issue's law column to explain why vouchers are constitutional.

Environment columnist Jennifer Zambone, commenting on new cases of the mosquito-borne West Nile virus reported in the U.S. this year, describes the value of pesticides for reducing this threat. Health columnist Twila Brase explains why the World Health Organization recently ranked the U.S. health care system worse than health care in 36 other countries: not because our system serves *patients* poorly, but because it poorly serves the political goals of the report's authors.

IN OTHER COLUMNS

There's been good news on the crime front lately, and columnist Morgan Reynolds chalks it up to the simple act of locking up bad guys. John Hewitt offers tips for making press releases more effective, and Adrian Moore explains the benefits of contracting out highway construction projects. Technology columnist Bartlett Cleland warns that attempts to outlaw online gambling won't work, but *will* undermine the rule of law.

Murray Weidenbaum laments the fact that his business friends support competition only in industries other than their own; Bill Ahern unpacks the inland waterways fuel tax; and Robert Rector reports on the successes achieved by nurse home visitation programs.

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The Development Research Group at the World Bank released a similar report this year examining the macroeconomic policies of 125 countries. The report concludes that openness to trade is part of a "core set of institutions and policies" necessary for improving living standards, without concentrating wealth in the hands of the few. The authors of the report explain their findings this way:

Openness to international trade raises incomes of the poor by raising overall incomes. The effect on the distribution of income is tiny and not significantly different from zero. The same is true for improved rule of law, which raises overall per capita GDP but does not significantly influence the distribution of income. . . . This is not some process of "trickle-down," which suggests a sequencing in which the rich get richer first and eventually benefits trickle down to the poor. The evidence, to the contrary, is that private property rights, [macro] stability, and openness [to trade] directly create a good environment for poor households to increase their production and income.

> *The AFL-CIO believes the ultimate test is whether globalization increases freedom, promotes democracy, and helps to lift the poor from poverty. Does globalization fail the test?*

POLITICAL BENEFITS

Sweeney overlooks an additional benefit to trade between nations, outside the purely material advantages that trade clearly brings. As goods and persons freely flow across borders, so do ideas. Many countries begin to encounter concepts of liberal democracy only when they begin to trade with people in other countries. Just as foreign goods enter a country and soon find their way into the hands of willing consumers, foreign ideas also find their way into willing hearts and minds.

As wealth grows in a country, typically so does the call for democratic reform. Dictatorships or monarchies that permit some freedoms in the market have a tendency to evolve into political democracies, evidenced in recent years in Greece, Portugal, Spain, and other nations. Acton Institute President Rev. Robert A. Sirico testified on this point before the House Ways and Means Committee in the context of permitting trade with China:

Economic exchange, within China and with the rest of the world, is helping to strengthen the civil sector in countries, made up of churches, business associations, and local governments, over against the state sector bureaucracy still dominated by old ways of thinking. . . . It is creating pockets of independent wealth that allow people to separate themselves from material dependence on the state. This is especially important to churches, which have to depend, to a great extent, on the charitable sector to flourish.

THE FREEDOM FACTOR

Trade, in itself, is a human right. The freedom to say "yes" or "no" in an exchange is what enables each of us to seek out and realize opportunities in keeping with our own values and needs. Freedom of the press means very little if ownership of a printing press and the freedom to use it are curtailed. Government restrictions on trade in pencils and paper or in computers and printing presses restrict the freedom of writers to exercise and develop their God-given talents.

Private property and the freedom to contract are fundamental human rights, as each person is entitled to enjoy the fruits of his labor. And these rights do not stop at water's edge.

Trade barriers place limits upon the freedom to engage in mutually beneficial exchange, and they are predicated upon the mistaken belief that people are unable to judge what is best for themselves and their families. When the judgment of politicians and a politicized process is elevated over the judgment of individuals, governments prevent people from making decisions in their own best interests. Diminished opportunities and increased prices are the result of limited choice.

In a free economy, on the other hand, an organic system of production develops among those interested in trade. Consumers and producers in one area of the world seek out consumers and producers in another, and an international division of labor permits greater efficiency in meeting human needs worldwide. Contrary to Sweeney's claim, the effect of this is not diminishing opportunities for the poor and working families, but increasing opportunities to generate wealth and achieve a higher standard of living.

THE MORAL CASE

"Building a truly global economy," writes Bishop Diarmiud Martin, "means, above all, building a system that permits the active participation of all persons and nations in realizing the God-given potential with which they have been endowed, an economy that is truly at the service of the entire human family."

Pope John Paul II elaborated on the importance of the free economy in his 1991 encyclical *Centesimus Annus*:

Even in recent years it was thought that the poorest countries would develop by isolating themselves from the world market and by depending only on their own resources. Recent experience has shown that countries which did this have suffered stagnation and recession, while the countries which experienced development were those which succeeded in taking part in the general interrelated economic activities at the international level.

> *Building a truly global economy means, above all, building a system that permits the active participation of all persons and nations in realizing the God-given potential with which they have been endowed.*

Avoiding the temptation for nations to turn inward and choosing instead to embrace the free economy and the entire human family is the only moral course of action. When globalization is put to the test it passes with flying colors. People flourish in freedom internationally, as they do closer to home.

Michael B. Barkey is a policy analyst at the Acton Institute for the Study of Religion and Liberty, a Grand Rapids, Michigan-based educational organization.

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Crime

Morgan Reynolds

Morgan Reynolds is director of the Criminal Justice Center at the National Center for Policy Analysis.

Does Punishment Work to Reduce Crime?

Does punishment work to reduce crime?

The answer seems obvious to most Americans: Yes, of course punishment reduces crime. Punishment converts criminal activity from a paying proposition to a nonpaying proposition (at least sometime), and people respond accordingly.

We all are aware of how incentives affect our decisions. Yet controversy over the very existence of a deterrence and incapacitation effect of incarceration has raged in elite circles, including at a House subcommittee meeting at which I testified.

SIMPLE, POWERFUL LOGIC

The logic of deterrence is pretty obvious, and the evidence is powerful too. First, consider the September 18 issue of *Forbes*, which asks John Lott, senior research scholar at Yale Law School and author of *More Guns, Less Crime*, "Why the recent drop in crime?" His answer: "Lots of reasons—increases in arrest rates, conviction rates, prison sentence lengths." Lott wisely mentions these facts before turning to other factors like increased private deterrence through concealed handgun carrying laws and changes in illegal drug markets.

Next, consider Daniel Nagin, a Carnegie-Mellon University professor of public policy, who criticized Lott's finding that shall-issue, concealed carry licensing laws exert an independent deterrent effect on crime. "A number of studies have been successful in isolating a deterrent effect," writes Professor Nagin in a 1998 review of the scientific literature on deterrence and incapacitation. "The combined deterrent and incapacitation effect generated by the collective actions of the police, courts, and prison system is very large."

In sharp contrast to the situation 10 years ago, experts who assert the contrary fight a rearguard action. Crime rates have fallen 30 percent over the last decade, while the prison and jail population doubled to two million. Most people are able to connect these dots (*The New York Times* aside). Nobel Prize-winning economist Gary Becker points out that the current wave of home building in our cities stems from these dramatic gains in public safety.

During the subcommittee hearing, Marc Maurer of the Sentencing Project cast doubt on the effectiveness of incarceration by claiming there is no association between imprisonment rates and crime reduction in the 50 states. Yet Professor James Fox, the oft-quoted criminologist from Northeastern University in Boston, admitted under questioning that the negative impact of incarceration on criminal activity is undeniable. As German philosopher Arthur Schopenhauer said, truth passes through three stages: First, it is ridiculed; second, it is violently opposed; and third, it is accepted as being self-evident.

TOO MANY PRISONERS?

If the United States, with so many people in prison, still has one of the world's highest crime rates, doesn't this imply that prison does not work?

First, our crime rate, especially the property crime rate, isn't so high by international standards any more, though our violent crime rate remains far too high. Second, the nation had to imprison more people in recent years because it failed to do so earlier (although our ill-advised war on drugs inflamed the problem too).

It was not as if crime in the U.S. was rising so fast that the rate of imprisonment could not keep up. Rather, the rate of imprisonment fell first by deliberate design. By the time the United States began incarcerating more criminals in the mid-1970s, huge increases were required to bring the risk of imprisonment up to the crime rate. As Charles Murray notes, it's more difficult to reestablish a high rate of imprisonment relative to crime after the crime rate has escalated than to maintain a high risk of imprisonment from the outset. We experienced the same phenomenon in Texas, where crime rocketed up during the 1980s while expected punishment plunged.

> *The combined deterrent and incapacitation effect generated by the police, courts, and prison system is very large.*

Both U.S. and Texas show that imprisonment can stop a rising crime rate and then gradually push it down.

Public opinion strongly supports the use of prisons to give criminals their just desserts. The endorsement of punishment is relatively uniform across social groups. More than three-quarters of the public see punishment as the primary justification for sentencing. Still, the public holds out some hope for rehabilitation, too. About 60 percent express hope that services like psychological counseling, training, and education inside prison will correct personal shortcomings.

Punishment, though unpleasant and expensive, supplies the wrongdoer with a major incentive to reform. Even career criminals give up crime because they don't want to go back to prison.

FOR MORE INFORMATION...

Right-Sizing Justice: A Cost-Benefit Analysis. Three scholars examine the costs and benefits of prison terms for various crimes. (Manhattan Institute, September 1999, 26pp.)

Fax Call 312/377-3000 and request documents **#1367414** (text) and **#1367415** (notes).

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Education

Jay P. Greene

Guest columnist Jay P. Greene is a senior fellow at the Manhattan Institute for Policy Research.

Vouchers Generate Academic Gains

Rigorous testing, class-size reduction, or school choice: Which reform produces the largest academic gain?

Recently released evaluations of private scholarship programs in four cities (Charlotte, Dayton, New York, and Washington) show that school choice significantly increases student achievement, particularly for African-American students.

The evaluations in Charlotte, which I conducted, and the other three cities, conducted by a Harvard University team, took advantage of the fact that scholarships are awarded in these programs by lottery. Our research compared winners of the scholarship lottery, who were able to attend a private school, to the lottery losers, who remained in the public schools but were otherwise similar to the scholarship recipients.

We found that in Charlotte, after only one year, students who received a scholarship to attend a private school scored 6 to 7 percentile points (0.33 standard deviations) higher on standardized tests than did their counterparts who remained in the public schools. The Harvard team found a similar gain in Dayton, New York, and Washington after two years.

In all four cities the gains appear to have occurred almost entirely among African-American students, confirming the impression that those students may be particularly poorly served in public schools.

The consistency of the results across all four cities is impressive, as is the size of the gain. The gain achieved by the private scholarship programs is larger than the benefit observed in the Tennessee STAR study, which measured the effect of reducing class sizes by seven students. It also costs a lot less to provide school choice than to reduce class sizes by almost one-third.

What explains the fairly large test score gains from school choice?

We know the success is *not* explained by differences in the backgrounds of students and their families. The lottery helped ensure that we are comparing apples to apples.

We also know the scholarship programs' results were not achieved by private schools with more resources and better facilities than the public schools. In Charlotte, the average private school accepting scholarship students charged around $3,100, about one-half the amount spent per-pupil in the public schools.

Nor did the private schools succeed because they screened for advantaged students or expelled undesirable ones. In our sample, virtually no private schools screened for students, and no students were expelled or counseled out of their private school.

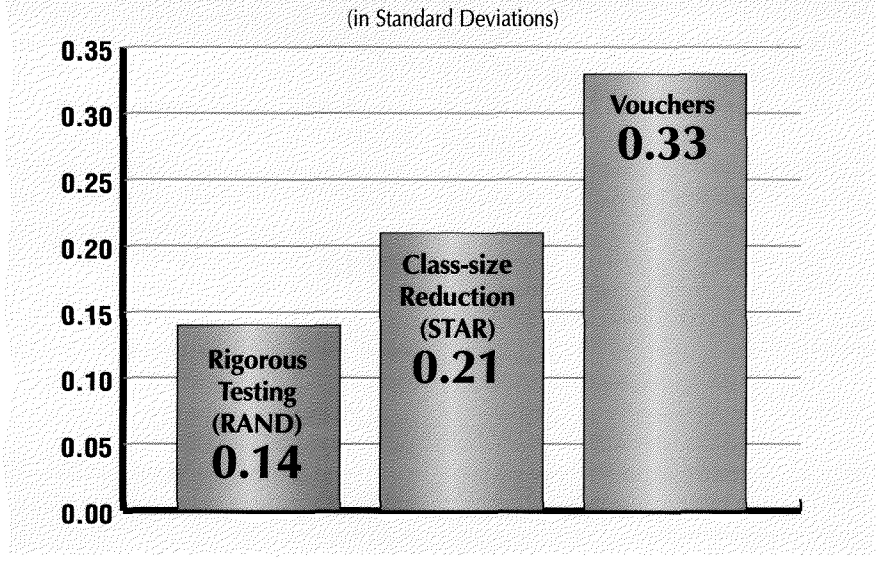
Lastly, we know that smaller class sizes did not account for the private schools' success. While the private schools did tend to have smaller classes, there was no correlation in our sample between student test scores and class size.

The advantage of the private schools may be choice itself. Perhaps by offering parents greater options, the scholarships simply allowed parents to find the right schools for their kids.

Significantly greater safety and discipline in the private schools may also have been important factors in the test score gain. Roughly one-quarter of public school students reported they felt unsafe at school, compared to just one-tenth of the private school students.

Whatever the reasons for the gains, a series of well-designed studies of school choice programs make clear that choice has significant academic benefits, particularly for African-American students.

Gains from Different Education Reforms for African-American Students



FOR MORE INFORMATION...

The Campaign Against Vouchers. Howard Fuller documents and refutes "known falsehoods" circulated by opponents of vouchers. **(Institute for the Transformation of Learning, March 2000, 17pp.)**

Fax Call 312/377-3000 and request document **#2184714.**

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Environment

Pesticides Protect the Public Health

Jennifer Zambone

Jennifer Zambone is an environmental policy analyst at the Competitive Enterprise Institute.

With this year's recurrence of the West Nile virus, we've heard the cry of "hype" resounding throughout the media. Articles and letters to the editor assure readers that mosquito-borne diseases are far less dangerous than the pesticides used to kill mosquitoes.

Activists have dismissed West Nile's significance by saying it kills only a small number of elderly people. On the other hand, their argument goes, pesticides cause cancer and damage to the reproductive systems of both humans and animals. Such activists conveniently ignore overwhelming evidence that mosquito-borne diseases are fatal, and that pesticides are needed to curb those diseases.

THE MARCH OF PROGRESS

Mosquito-borne diseases used to be quite common in the United States. Malaria was endemic in most of the country until the 1950s. In 1914, for example, the United States reported 600,000 cases of malaria. Yellow fever tended to confine its deadly attentions to the Southeast, killing 20,000 in 1878. But it forayed north too, killing 4,000 people in Philadelphia in 1793 and periodically visiting Boston and New York. Various encephalitic viruses enjoyed a wide range throughout the United States, and dengue skirted about the Gulf Coast.

Despite the claims of anti-pesticide activists, pesticides are crucial in curtailing the spread of mosquito-borne disease.

However, mosquito-borne diseases have loosened their grip on the United States. Malaria was eradicated by the mid-1950s. Dengue still occurs, but its incidence is lower than it used to be. Mosquito-borne encephalitic viruses, such as West Nile, are blessedly rare visitors.

While cold weather prevents the spread of such diseases, an example from a warmer climate illustrates it's not weather alone that protects the U.S.

In 1995, dengue spread to the Mexico-Texas border. On the Mexican side of the border, there were approximately 6,000 cases. On the Texas side, there were just six. The weather's not different on the other side of the Rio Grande, but the mosquito control is. Money spent on window and door screens, air conditioners, insect repellant, and pesticides curbs the incidence of mosquito-borne disease.

Pesticides are crucial in curtailing the spread of mosquito-borne diseases. As the National Academy of Sciences' (NAS) report, *Emerging Infections: Microbial Threats to Health in the United States,* notes, "Transmission [of a mosquito-borne disease] can only be stopped by the effective application of a pesticide that kills adult mosquitoes."

The report gives an example of pesticides' effectiveness, again from Texas. In 1966, St. Louis Encephalitis (SLE) broke out in Dallas. Within a few weeks, mosquitoes had infected up to 690 people. Dallas then aerially sprayed 475,000 acres with malathion. Mosquito populations, and the number of new SLE cases, fell dramatically. According to the NAS report, "The economic and public health consequences would certainly have been greater had pesticides not been available."

The usefulness of pesticides was also confirmed in last year's outbreak of West Nile in New York City. According to the Centers for Disease Control and Prevention (CDC), no new cases of West Nile virus were reported in New York City after it initiated a pesticide-spraying program. In the outlying counties, which hesitated to embark on a pesticide-spraying campaign, cases of West Nile virus continued to occur.

UNDER ATTACK

Despite pesticides' proven track record, anti-pesticide activists agitate for the end of all spraying. Some even sued to enjoin spraying in New York City. Regardless of the dose, these activists claim, pesticides are poisons that will slowly and certainly kill us all, particularly through cancer. But a lack of fruits and vegetables in your *diet* is far more likely to cause cancer than pesticides are. Moreover, mosquito-borne diseases directly kill people; properly applied pesticides do not.

Anti-pesticide agitation is not the harmless rant of a few misinformed zealots. The NAS report warns that the declining supply of effective pesticides is "a growing problem." Rather than face public outcry or attempt to jump high regulatory hurdles, chemical companies choose not to reregister old pesticides. Worse still, regulatory pressures and dwindling incentives cause them to eschew the development of new, even safer pesticides. Mosquito control officials have fewer weapons than ever with which to fight an increasing horde of disease-carrying insects.

Today, mosquito-borne diseases and the resultant deaths are rare in the United States. If we continue to use pesticides in our mosquito control efforts, we have a far better chance of keeping it that way.

FOR MORE INFORMATION...

Four Suggestions for Improving Environmental Health Policy. Pollution levels in the U.S. are falling, yet concern about the effects of environmental contaminants on health appears to be growing. Why? (Center for the Study of American Business, September 2000, 16pp.)

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Health Care

Twila Brase, RN, PHN

Public health nurse Twila Brase is president of Citizens' Council on Health Care.

WHO Belittles U.S. Health System

A new international comparison concludes that the U.S. has a poor health care system. But discerning readers should look at the details before accepting that conclusion. After all, from across the world, people flock to America—not to the higher-ranked countries of France, Columbia, and Oman—for medical services.

In June, the World Health Organization (WHO) published a 206-page report it touted as "the first-ever analysis of the world's health systems." The overall performance of this country's health care system was ranked 37th out of 191 countries surveyed, behind first-ranked France, second-ranked Italy, and eighth-ranked Oman, among other countries.

While our overall score is featured in the third paragraph of the seven-page news release announcing the study's publication, a more important score lies deeper in that statement. The United States ranks first among countries in the factor that matters most: the health system's responsiveness to patients' needs for choice of provider, dignity, autonomy, timely care, and confidentiality. Since health care systems are or should be designed for patients, above all, the report confirms that America's system is best.

The United States ranks first among countries in the factor that matters most: the health system's responsiveness to patients.

Countries much higher in the overall ranking failed to come close to the responsiveness of American health care. First-rated France ranks 16th or 17th in responsiveness to patients, while second-rated Italy ranks 22nd or 23rd. Oman was given an overall ranking of 8th, but only 83rd in responsiveness to patients. Morocco, which bests the U.S. in overall performance (29) is near the bottom of the list in responsiveness.

FAIRNESS OR INNOVATION?

One reason the U.S. ranks so low is that WHO looks for socialized financing of, and government-regulated access to, health care.

Columbia, which ranks only 82nd in terms of responsiveness to patients, achieved the top rank on the "fairness of financial contribution" indicator. As WHO puts it, "someone [in Columbia] with a low income might pay the equivalent of one dollar per year for health care, while a high-income individual pays 7.6 dollars."

WHO also appears to prefer a lowest-common-denominator measure of treatment, as its "fairness" measure in essence demands that no one be permitted access to a treatment that is not available to all. It's no accident the "unfair" U.S. health system, which leads the world in innovation, ranks poorly on this measure. By allowing choice and rewarding effort, the U.S. health care system offers superior technologies and more effective—but more expensive—medications.

WHO's concern with "fairness" is consistent with its efforts to prod Congress into accepting a global redistribution of U.S. tax dollars. In their attempt to shame the U.S. into sending money to other countries (and to WHO itself), the report's authors blithely ignore American sovereignty and the U.S. Constitution.

Accomplishing WHO's vision will require widespread health care rationing, an activity the organization supports. "All countries need explicit policies to ration interventions," note the authors of the WHO report, who praise the rationing that takes place in the Netherlands, New Zealand, Norway, Sweden, and even the state of Oregon. Some of these health care systems allow physician-assisted suicide, authorize euthanasia, or have practiced forced sterilization.

The report faults the United States for not making health insurance mandatory and not making social welfare programs equally available to all citizens. "[The United States] does not guarantee insurance for everyone," sniff the authors.

WHO is particularly critical of Medical Savings Accounts because "the healthy and the young, whose risk is usually low, might prepay for a long time without needing the services for which they had saved." The report also opposes Medical Savings Accounts because "individual financing fosters fee-for-service payment and makes it harder to regulate the quality of provision [of care]."

NO RESPECT FOR FREEDOM

WHO wants to use health care to open American pockets to the world. Under a perverse concept of fairness, they seek to shame American policymakers with a low ranking, then convince them that centralized health care rationing and financial redistribution are "the right thing to do."

American taxpayers already support the World Health Organization with over $96 million per year—roughly 25 percent of the organization's general operating budget. Congress ought to re-evaluate its support for this ungrateful organization, which so clearly lacks respect for the freedoms that make the U.S. system number one with patients around the world.

FOR MORE INFORMATION...

WHO Assesses the World's Health Systems. This press release summarizes the 203-page report. (World Health Organization Press Release, June 2000, 7pp.)

Fax Call 312/377-3000 and request document **#3212303.**

Bot http://www.heartland.org/**pdf/32123c.pdf**

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Law

Clint Bolick

Clint Bolick is litigation director for the Institute for Justice.

Vouchers Are Constitutional

In America, students can use their Pell Grants and veterans can use their G.I. Bill funds to attend religious colleges. Moms receiving federal daycare vouchers can send their children to religious childcare providers. Food stamp recipients may shop in kosher grocery stores. But when it comes to school vouchers for K-12 students, naysayers assert that school choice violates "separation of church and state."

The notion that allowing parents to spend public funds at the school of their choice somehow "establishes religion" must appear bizarre to all but the most doctrinaire ideologues and unrepentant defenders of the status quo . . . a status quo in which graduation rates in many large inner cities hover below 50 percent and black high school seniors score four academic years below their white counterparts.

School choice allows children to escape failing schools and attend good ones—not 10 years from now, or billions of dollars from now, but today. It also provides the competition that will compel failing public schools to improve.

A child who learns well in a private school fulfills the goals of public education; a child who does not learn in public schools does not.

CONSTITUTIONAL HISTORY

For three decades, the U.S. Supreme Court has examined programs to determine if their "primary effect" is to "advance or inhibit" religion. The primary effect of school choice is not to advance religion, but to expand educational opportunities to those who desperately need them.

That has been abundantly clear in the key school choice battlegrounds:

- In Milwaukee, several thousand low-income children were able to escape abysmal public schools to attend private schools at public expense. The program has improved test scores and sparked long-overdue public school reform.
- In Florida, every child in a public school that fails state standards for two years may attend a better public school or a private school at public expense. After only one year, all 58 failing public schools had lifted their performance so that no new vouchers were necessary.
- In Cleveland—where children in public schools have less than a one-in-14 chance of graduating on time with senior-level proficiency—private schools were added to existing public charter and magnet school options.

In both Milwaukee and Florida, school choice is accompanied by a vastly increased financial commitment to public schools. But ultimately, school choice represents a shift in the definition of public education: We should care less about *where* a child is educated than *whether* a child is educated. A child who learns well in a private school fulfills the goals of public education; a child who does not learn in public schools does not.

The last time the Supreme Court invalidated anything resembling school choice was in 1973, when it struck down a New York "parochaid" program that directly and exclusively subsidized private schools and the families who patronized them. The Court left open the question of how it would respond to a program, like the G.I. Bill, that includes religious schools among a wider array of choices.

Since that decision, the Court has affirmed such aid on six consecutive occasions:

- upholding a tax deduction for school expenses, most of which was used for private school tuition;
- unanimously allowing the use of federal aid by a blind student studying for the ministry in a divinity school;
- approving a publicly paid interpreter for a deaf student in a religious high school;
- allowing student fees to pay for a religious publication at a public university;
- permitting public school teachers to provide remedial instruction on religious school premises; and, most recently,
- upholding the provision of computers and other materials for children attending religious schools.

The Court will approve programs that contain two elements:

(1) Parents or students, not the government, choose where to spend education funds, so that religious schools receive public funds only as a result of independent private choices; and

(2) Religious schools are included within a broader range of choices.

Those common-sense criteria reflect a Constitution that requires *neutrality*, not hostility, toward religion.

State supreme courts in Wisconsin, Ohio, Arizona, and Vermont have approved vouchers and tax credits under the First Amendment. But the cloud will remain until the U.S. Supreme Court definitively resolves the issue.

Opponents of school choice—notably teacher unions and their allies—care nothing about "religious establishment," but employ whatever legal tools they can find to prevent poor children from having the same types of educational choices as children from wealthier families.

Ultimately, parents and children will prevail. The same Constitution that guarantees an equal educational opportunity to every child—black or white, rich or poor—will not be subverted to deny children that very opportunity.

FOR MORE INFORMATION...

School Choice and American *Constitutionalism.* Professor Joseph P. Viteritti provides a more extensive legal history on the Constitutional question. (New York University, March 2000, 39pp.)

Fax Call 312/377-3000 and request documents **#2184509** and **#2184510**.

Fax http://www.heartland.org/**pdf/21845i.pdf**

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Politics

John Hewitt

John Hewitt, director of the Writer's Resource Center at *www.poewar.com*, is a freelance writer and former lobbyist. He is currently an Internet strategist with the OSI Group.

Sending Effective Press Releases

Capturing the attention of editors with a press release can be a difficult task. To get published you must gain their interest and present your information in a professional manner. Your job is to make it as easy as possible for them to do their job. Here are some tips to help you accomplish this task.

Do Your Research. Identify the appropriate editor or reporter. Call before sending out your release and confirm you have the appropriate person. Include his or her name on the release, not just on the envelope. Pick just one person per publication to send your release to.

Give it Time. Don't fax a release out the day before an event and expect it to receive coverage. Send out your release well before an event. This is especially true of seasonal events. Magazines, even weekly ones, are often planned months in advance.

Keep it Short and Informative. Reporters and editors are notoriously busy. Most press releases should be kept to one or two pages. If you have more information to give, point them to a contact or a Web site.

Write it in a News Style. Put the primary information (who, where, what, and when) into the lead (first paragraph), and keep the sales pitch subtle. No exclamation points!!! Make sure what you're saying is very clear. Many publications will directly reprint a press release if it is written in a professional news style.

Know When to Mail, E-mail, or Fax. A press release sent in the mail is almost always acceptable. E-mail is also widely accepted and preferable in many situations because the text of your press release can be plugged into an article quickly or rewritten on the fly. Some publications don't like to have their fax machines tied up with irrelevant faxes. It is your job to find out exactly what each publication's policy is and give them what they prefer.

Help Keep it Together. Always include, at the top corner of every page, a two- or three-word description of the story, the name and phone number of key contact people (no more than two), the page number (if there is more than one page), and the release date (usually "for immediate release" or "please hold until ??/??/??").

Tips for Mailed Press Releases. Use standard 8 1/2" x 11" paper typed on one side only. Never break a paragraph across two pages. Leave wide margins for editors to write notes in. A 1 1/2" or 2" margin on each side is fine. Also, use a standard font; fancy text may look nice, but it is difficult to read. Don't fold your press release like a letter; fold it so that the headline and date will be the first thing the editor or reporter sees upon opening the envelope.

Keep E-Mailed Releases Simple. E-mail gives you a lot of options that regular mail does not, but in the end it is best to keep it simple. Use plain text for your announcement, but feel free to include a link to a Web page with the press release and any accompanying material such as photos. Write out the complete URL in the following format: http://www.vou.com/press/release/01600.htm. Most e-mail readers will convert this address directly into a link. If not, it is still easy for your reader to cut and paste this address into a Web browser.

Your job is to make it as easy as possible for editors and reporters to do their job. Here are some tips to help you accomplish this task.

Use the Features of the Web. It is now common practice to include your recent press releases on your Web site. On a Web site it is possible to include pictures, audio clips, video clips, and in-depth articles and information. Still, be intelligent about your press release. Get to the point quickly and make sure the key information is at the top of the piece. Also, remember that a Web site is supplemental to a mailed or e-mailed press release. Don't expect the press to come to your Web site looking for press releases. Don't expect to use your site as a replacement for mail or e-mail.

All Good Press Releases Must Come to an End. End a press release with either "# # #" or "-30-" typed across the center of the page, three lines below the end of your text. If a release has more than one page, type "-more-", centered at the bottom of the pages preceding the final page.

FOR MORE INFORMATION...

Campaigns & Elections magazine is published 10 times a year by Congressional Quarterly Inc. A year's subscription is $49.95.

PHONE For more information, call **800-771-8252**, or visit the magazine's Web site at

WWW **www.campaignonline.com**.

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Privatization

Adrian Moore

Adrian Moore is director of privatization and government reform for the Reason Public Policy Institute.

Road Work Ahead: Outsourcing Highway Maintenance

While most states outsource construction of highways, they choose to maintain them with state workers. Yet road maintenance is no more a core state government function than construction is, so many states are now starting to look at outsourcing. Over the past year, the American Association of State Highway and Transportation Officials (AASHTO) has held a series of workshops for state highway officials interested in outsourcing highway maintenance.

According to the Council of State Governments, 23 states outsource some highway maintenance. For most states that means outsourcing snow removal and, sometimes, minor road repairs. Among state governments that have done more, the results have been almost universally excellent, with cost savings of 25 to 50 percent as well as improved maintenance speed and quality.

Virginia outsourced maintenance of over 100 miles of highway as a pilot project and cut costs by more than 15 percent the first year, saving $22 million. This July, **Florida** contracted with a private firm to take over all regular maintenance of a 254-mile stretch of I-75 north of Miami. The contract pays the firm a fixed, lump-sum of $73.5 million for the seven-year contract—cutting the state's cost by 18 percent.

MASSACHUSETTS

In the early 1990s, **Massachusetts** launched a pilot project, contracting for all routine highway maintenance in Essex County. The state Department of Transportation (DOT) continued to determine what work would be done and paid only for those specified tasks. The contract greatly improved highway conditions, delivering considerably more work for the same amount of money. The contract saved between $1.7 million and $2.1 million in operating costs in its first year.

With the pilot project's success, the DOT decided to expand the program across the eastern part of the state. Private firms and existing employees bid on the seven contracts. The public employee unions won three of the contracts, enabling DOT to keep layoffs down to just 150 people. The seven contracts saved the state $7.5 million the first year, and delivered $10 million more in services than the year before. As an added bonus, workers compensation claims fell 60 percent, overtime fell 70 percent, and sick leave fell 50 percent.

The expanded program went so well that in 1996 the DOT took the program statewide. They offered 14 contracts, and seven each were won by public employees and private firms. When in 1998 DOT rebid the contracts, there was no media attention—it had just become a way of doing business.

The bottom line for taxpayers is that between 1991 and 1999 the highway maintenance budget in Massachusetts fell from $40 million to $25 million, while the amount of maintenance work performed increased.

NEW MEXICO

In July 1998, **New Mexico** launched an innovative partnership with Koch Industries. The New Mexico Corridor 44 Project includes the design, construction, warranty, and an option for partial financing of the expansion of a 121-mile section of two-lane highway to four lanes.

Under the contract the project is scheduled to finish in three-and-one-half years, much faster than similar projects in the past. If it is not finished by the specified date, Koch will pay New Mexico a penalty of $7,000 per day and will forgo payment until the job is done—creating a significant incentive for Koch to finish the job quickly.

The most significant aspect of the contract is the warranty from the developer. In addition to assuming risks for the construction project, Koch has guaranteed to pay for upkeep and road repair for 20 years. The contract sets maintenance performance criteria based on industry guidelines. Under normal circumstances, maintenance on such a stretch of highway would have cost taxpayers an estimated $151 million; under the partnership with Koch, taxpayers will pay just $62 million for the long-term warranty—saving $89 million.

Among state governments that have outsourced highway maintenance the results have been almost universally excellent, with cost savings of 25 to 50 percent as well as improved maintenance speed and quality.

One key factor in the project's success is that the state is not telling Koch how to build the road. Avoiding micromanagement allows the contractor to use innovative practices often not available to the public sector. In this case, Koch will utilize a unique and innovative pavement design that needs 20 percent less pavement and will cost at least $20 million less.

It's little wonder that more state governments are looking at outsourcing highway maintenance. Cost savings, improved performance, and freeing up resources to focus on core transportation department missions are difficult achievements to argue with.

FOR MORE INFORMATION...

Competing for Highway Maintenance. Five different transportation authorities show how Washington state can improve road maintenance. (Washington Institute Foundation, January 1999, 6pp.)

Fax Call 312/377-3000 and request document **#8105315**.

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Regulation

Murray Weidenbaum

Murray Weidenbaum is chairman of the Center for the Study of American Business.

Sometimes Businesses Prefer Regulation

It is sad to report that all of my business friends love competition as an ideal, but in practice many of them make every effort to keep it away from their own segments of the marketplace. A cogent example is the efforts of automobile dealers around the nation to push for state laws making it illegal for people to buy automobiles directly over the Internet.

Even if the consumer orders a new motor vehicle over the Internet, in at least 44 states the sale itself has to go through an authorized dealer. This procedure prevents direct manufacturer-to-consumer sales and ensures the dealer does not lose its "middleman" fee.

Some state legislators who have passed these restrictive laws cite the safety issues involved with autos, and the fact that vehicles are much more expensive than the kinds of products usually ordered online. Those factors, apparently, are adequate justification for "protecting" automobile purchasers from the low prices they could obtain by eliminating the middleman.

It is a very twisted form of logic that enables state legislators to contend they are helping the consumer by keeping the price of a major product artificially high.

HIGHER COSTS, LOST BENEFITS

It is estimated that the average motorist could save $1,000 or more per vehicle if manufacturer-to-consumer sales were permitted over the Internet. Internet sales would benefit the consumer in other ways: for example, by reducing the time-consuming process of having to visit a variety of automobile dealers in order to find the preferred combination of price, color, "extras," etc.

Some of the prohibitions enacted by individual states are extremely rigid. Because of a new law passed in Arizona this spring, manufacturers who wish to sell there may not even participate with their dealers in establishing Web sites that enable vehicle buyers to obtain financing and other after-sales services such as insurance and extended service plans.

Moreover, under the Arizona statute, if a potential customer approaches a manufacturer directly, the company must provide the name to every dealer in the entire metropolitan area. That onerous amount of paperwork pushes auto producers to make sure buyers do not even approach them.

The ultimate cost to the American consumer of the prohibition on Internet sales may be far greater than $1,000 added to each vehicle purchase. The success on the part of automobile dealers in obtaining state restrictions on competition is an early warning to manufacturers in other industries who are thinking about using the Internet to sell directly to the consumer.

There is a special aspect of the automobile industry, however, that is not universal among consumer products. Each automobile dealer has invested a substantial amount of money in obtaining and developing the franchise it holds to sell the products of a specific manufacturer. Correctly or not, the dealers may believe they entered into an implicit understanding that the manufacturer would not compete against them.

But if that were their concern—essentially a breach-of-contract complaint—the dealers could have taken the issue to court. There would have been little need for new state restrictions on automobile sales.

In the end, this issue is not about manufacturers and dealers: It's about consumers. When state legislators had to choose between supporting an organized business group or truly protecting the rights of consumers to make up their own minds, their choice was clear. In at least 44 cases, the politicians opted for the special interest group.

Businesses should respond to new technology in the marketplace—not by using the political process to achieve a government-protected monopoly, but by making their services more attractive and efficient.

The efforts of the car dealers—and others—to insulate themselves from competition may ultimately fail on legal grounds. If the federal courts determine that the state restrictions impinge on interstate commerce, those laws could be held to be in violation of the Commerce Clause, that part of the U.S. Constitution that gives Congress the power "to regulate Commerce with foreign Nations and among the several States."

I expect to buy my next car through the conventional channel of an authorized dealer. But the economic notion of consumer sovereignty and the legal protections of the Constitution say it should be my choice. Car dealers—and other businesses—should be encouraged to respond to new technology in the marketplace—not by using the political process to achieve a government-protected monopoly, but by making their services more attractive and efficient.

FOR MORE INFORMATION...

Will the Net Turn Car Dealers into Dinosaurs? Solveig Singleton addresses online auto sales in more detail. (Cato Institute, July 2000, 11pp.)

Fax Call 312/377-3000 and request document **#7274404**.

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Taxes

Bill Ahern

Bill Ahern is communications director for the Tax Foundation.

Gas Price Furor Shines Spotlight on Excise Taxes

Convoys of protesting truckers, fast-rising gasoline prices, and the Presidential contest have focused attention on a type of tax that taxpayers are rarely aware of: excise taxes.

Much less visible than income or sales taxes, excises are taxes that federal and state governments put on specific products. Some of these products are things we buy every day without knowing a tax is part of the price. Others are items only businesses use: They pay the tax, then pass the extra cost on to individual taxpayers.

One such excise tax—the inland waterway fuel tax—is environmentally as well as economically destructive.

The country's inland waterway system is composed of 25,000 miles of lakes, rivers, and canals as well as the infrastructure needed for ships to traverse them. This vast enterprise reaches from the ocean into 35 states, to points as far inland as Oklahoma.

In 1978, Congress passed a tax of 4 cents per gallon on fuel used on the waterway system. The rate has risen steadily and now stands at 24.4 cents per gallon. In FY 1997, the tax generated $108 million, which the federal government earmarked for the Inland Waterways Trust Fund.

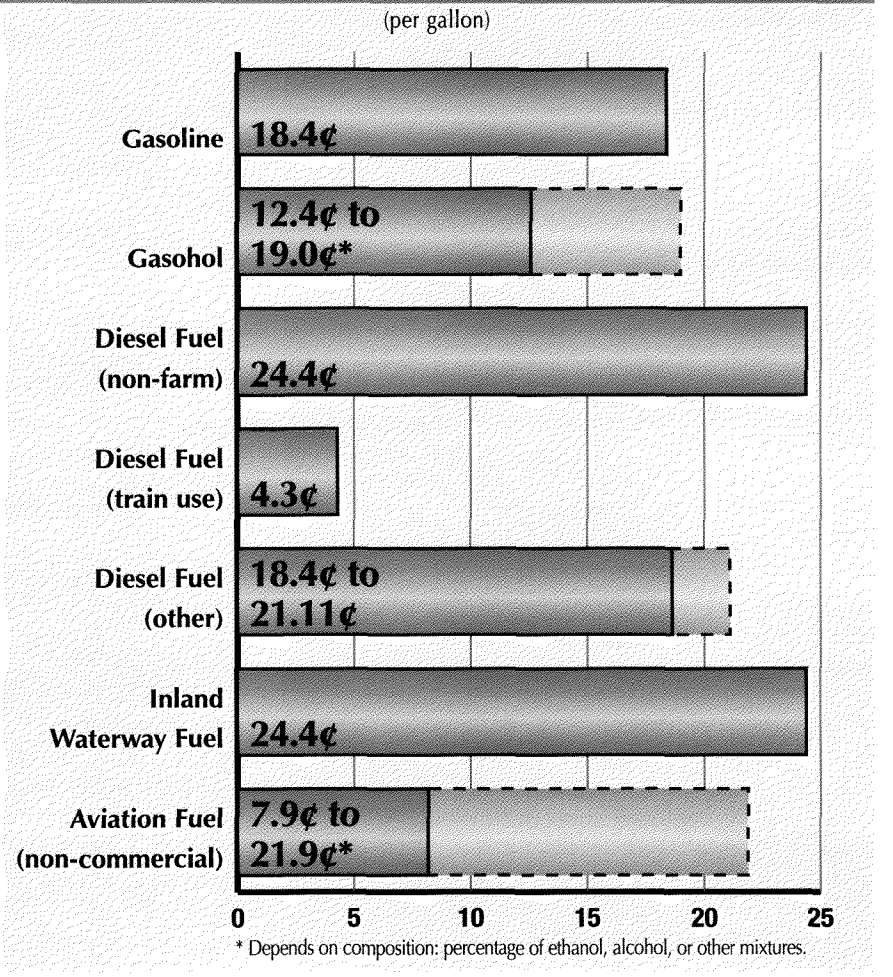
The fuel excise tax, like any tax, discourages production—in this case, water-borne cargo. For a nominal increase of one cent in the tax rate, there is a 15,000-ton drop in cargo volumes.

The imposition of the inland waterway fuel tax reduces interstate trade and commerce, and in some cases moves that trade to trucks and railroads. Any diversion of traffic from the waterway represents a net negative for safety and the environment: According to the Army Corps of Engineers, barges are safer and more energy-efficient than rail or trucks, creating less air pollution per ton-mile carried and reducing highway accidents and hazardous cargo spills.

Is the fuel excise tax actually a "user fee?" Not at all. A user fee on the waterway would be justified only if the payers of the tax were the only beneficiaries of the waterway, or if the waterway caused some economic harm that was redressed by the tax revenue. Neither of these justifications applies. Indeed, the side effects of the waterway are positive. Many related businesses and recreational boaters benefit greatly from the waterway and use it without paying the tax.

The fuel levy has all the negative consequences of a tax, without the benefits of a user fee. It's time waterway shippers be put out of its misery.

Selected Federal Excise Taxes on Fuel



* Depends on composition: percentage of ethanol, alcohol, or other mixtures.

FOR MORE INFORMATION...

Stealth Taxes. Just how many federal excise taxes are there? This provides a long list. (American Institute for Economic Research, July 2000, 3pp.)

Fax Call 312/377-3000 and request document **#8021129**.

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Technology

Bartlett D. Cleland

Bartlett Cleland is director of the Center for Technology Freedom at the Institute for Policy Innovation.

Gambling with the Rule of Law

Legislation pending in Congress is designed to abolish gambling on the Internet. While the members of Congress are certainly well intentioned in this matter, their attempt will ultimately fail, even if enacted into law. The bill simply does not recognize the fundamental operating truths of the cyber-world.

Forty-five countries now license and regulate Internet gaming. This alone makes it a safe bet that a law will not be able to effectively prohibit Americans from placing a bet on their preferred gambling outlet by email. While many members of Congress clearly understand technology and craft legislation appropriately, in this case, facts do not seem to have been a priority.

The bill does not make *placing* a bet a crime, but rather seeks to ban gambling operations and advertising. It attempts to enforce the ban by "deputizing" online service providers (OSPs) and credit card companies. Once notified by law enforcement authorities, OSPs would be required to deny their customers access to gambling Web sites; credit card companies would be required to deny credit card charges placed at those sites. This "enforcement" effort would force the Web masters of gambling sites to modify their web addresses . . . a process that takes about 45 seconds.

> *Internet gambling is the canary in the coal mine. If this bill becomes law, we will know that the prospect of a regulation-free Internet was too great a threat to those who feel the need to exercise control.*

Regardless of the OSP provision, the Department of Justice will not be able to reach sites operating in foreign countries—especially those operating with the blessing of foreign governments that license their activities.

The real danger with this bill is that it treats Internet access as a government-granted privilege: Congress wants to decide who can access the Web and under what conditions.

UNDERMINING THE RULE OF LAW

Legislating without regard for the limitations of Web enforcement is bad enough. Even worse, doing so represents a "blatant example of legislating without regard for the rule of law. Ineffective legislation contributes to lawlessness. If citizens become comfortable with the notion of breaking a bad law because it is unenforceable, the validity of *all* laws is weakened.

The legislation is equally troubling for the way it singles out a specific form of gambling—and a specific type of gambler—for special treatment. "Equal treatment under the law" is a cornerstone of our legal system; when that cornerstone crumbles, the rule of law crumbles with it.

And the special treatment problem gets worse. In-home Internet gambling on horse and dog races—currently illegal—would be legalized under the "Internet Gambling Prohibition Act," and lotteries and hotel-casinos are exempted. By permitting some forms of Internet gambling despite the "prohibition," the bill is a federal endorsement of gambling expansion.

EVERYONE LOSES

Those who oppose gambling generally might be tempted to support this legislation, but they should think twice. The bill they would support officially and affirmatively endorses gambling of certain types. It's difficult to imagine why they would be comfortable with a measure that puts the government's stamp of approval on Kentucky Derby wagering from America's living rooms.

Free-market thinkers and investors in the new Digital Economy will see in this proposal a great danger to the future of the Internet. This country's economic and regulatory history makes it abundantly clear that once a market is subject to the smallest of regulations, other forms of government intervention follow. If this bill passes, it will not be long before the Internet is burdened with regulations and taxes at the local, state, and federal levels.

State legislators must recognize this legislation for what it is: a federal power grab. If passed, this legislation would nationalize most forms of gambling. Gambling—state lotteries, riverboat casinos, video poker, horse and greyhound racing—has heretofore fallen within the states' purview.

CANARY IN THE COAL MINE

Internet gambling is the canary in the coal mine. If this bill becomes law, we will know that the prospect of a regulation-free Internet was too great a threat to those who feel the need to exercise control. We will know that special interest groups—the horse and dog tracks, jai-alai, and state lotteries—will be able to exempt themselves in the chaos of legislative drafting.

And if that comes to pass, too bad for the Internet, too bad for the rule of law, and too bad for those opposed to gaming as a matter of principle.

FOR MORE INFORMATION...

Gambler's Web. Existing gambling outfits push for restrictions on their Internet competition. (*Reason*, October 1999, 7pp.)

Fax Call 312/377-3000 and request document **#0828111**.

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Welfare

Robert Rector

Robert Rector is a policy analyst at The Heritage Foundation.

Nurse Visitation Can Reduce Social Problems

Research indicates that a carefully designed program of nurse visitation to low-income non-married women during pregnancy and after childbirth can significantly reduce problem behaviors over the long-term.

In an article published in the *Journal of the American Medical Association* (*JAMA*), researchers examined the effects of a nurse home visitation program for low-income, non-married women conducted in Elmira, New York between 1978 and 1980. Although the visitation program was limited to the first two years after the birth of the mother's first child, in many cases it substantially altered the life course of the mother and produced positive results still apparent 15 years later.

In the Elmira visitation program, low-income, non-married pregnant women received home visits by nurses during their first pregnancy and for two years after the child's birth. The average age of the women in the program, at the time of pregnancy, was 18. About three-quarters of the women were white and one-quarter were black.

The nurse visitation occurred on roughly a monthly basis and focused on providing skills in three areas. First, the program sought to improve the mother's health-related behaviors during pregnancy and the early years after the child's birth. Second, it sought to improve the care provided by the mother to the child. Third, it sought to improve the decision-making and long-term life planning of the mother, with particular focus on planning future child-bearing, increasing educational attainment, and raising workforce participation.

The women receiving the nurse visits were compared to a randomly selected control group of similar non-married pregnant women in Elmira who did not receive nurse visits. Despite the fact that the visitation program dealt with the women for just two years, it was shown to have long-term effects on a wide range of behaviors.

Researchers examined the women some 15 years after their entry into the visitation and control groups. During the subsequent 15 years, the non-married, low-income women who had received the nurse visits had about one-third fewer pregnancies and one-third fewer subsequent births when compared to women in the control group. The average time interval between the first and second births was increased from three to five years.

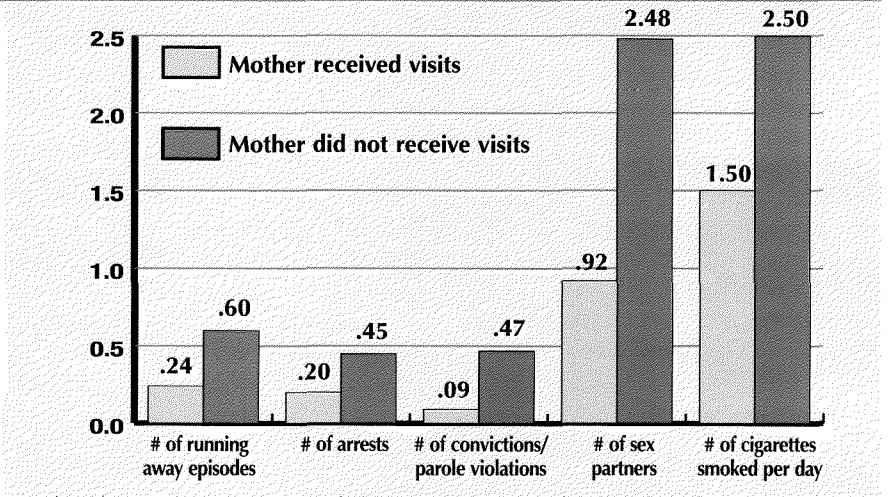
The visitation program also significantly reduced future welfare receipt. Over the 15-year study period, women who participated in nurse visitation received AFDC benefits one-third less than women in the control group. Food Stamp receipt was cut in half among women who received nurse visits.

Other behaviors also showed marked long-term improvements as a result of the program. Substantiated charges of child abuse and neglect were cut nearly in half among women who received the nurse visits. Alcohol and substance abuse were reduced by nearly half, and criminal convictions were cut by between 70 and 80 percent.

Caution should be used in applying some of these findings to current conditions. Since the enactment of national welfare reform legislation in 1996, the rate of welfare dependence and the average length of time single mothers spend on AFDC have dropped greatly. (As a result of that legislation, AFDC has been renamed Temporary Assistance to Needy Families, or TANF.) Consequently, it should not be assumed that an Elmira-style nurse visitation program, implemented today, would have the same effects in reducing welfare receipt as the original program did in the 1980s and early 1990s.

Nonetheless, the experiment does show that well-designed programs offering personal instruction and mentoring can significantly reduce future out-of-wedlock childbearing and a wide range of other problem behaviors.

Effect of Prenatal Nurse Home Visitation on Offspring Behaviors at Age 15



Families in the groups that received home visits had an average of 9 (range, 0-16) home visits during pregnancy and 23 (range, 0-59) home visits from birth through the child's second birthday. The control groups received standard prenatal and well-child care in a clinic.

Source: David Olds et al., "Long-term Effects of Nurse Home Visitation on Children's Criminal and Antisocial Behavior," *Journal of the American Medical Association*, October 14, 1998. http://jama.ama-assn.org/issues/v280n14/abs/joc80422.html

FOR MORE INFORMATION...

Welfare: Broadening the Reform. What do we know about the causes and effects of welfare dependency? How can we foster independence? (The Heritage Foundation, *Issues 2000*, 25pp.)

Fax Call 312/377-3000 and request documents **#9200501** and **#9200502**.

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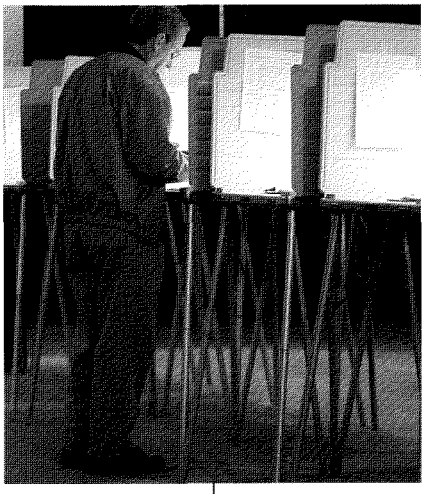
Should Georgia Adopt Early Voting?

Hans A. von Spakovsky

In Georgia, as in other states, we are concerned by the continuing decline in voter turnout. The national turnout of 36 percent in the 1998 midterm election was the lowest turnout in congressional elections since 1942.

Early voting—the ability to cast a ballot during a period prior to the normal election day (usually up to 21 days)—has been proposed as a way of increasing turnout. The theory is that it is simply too difficult for voters to get to the polls during the 12 hours polls are open on election day. Providing an extended period of time for individuals to vote, it is argued, will increase turnout.



Twelve states already allow some form of early voting. The highly respected nonpartisan Committee for the Study of the American Electorate (CSAE) has concluded that early voting has not stemmed the decrease in turnout in those 12 states. According to CSAE, states that have adopted early voting or no-fault absentee voting performed *worse* in terms of voter turnout than states without these voting procedures. Before they adopted early voting and no-fault absentee voting, those states "had been performing better than states that never adopted these procedures."

Why, contrary to expectations, would turnout worsen in states that have adopted early voting? The practice, CSAE concludes, is "diffusing mobilization and get-out-the-vote activities over a long time and reducing their one-day intensity." Early voting also diminishes the citizens' sense of responsibility by catering to convenience.

SUBJECT TO MANIPULATION

Not only does early voting bring lower turnout, it opens voting up to manipulation. Early voting statutes typically give local election officials the choice of where to open early voting precincts. This creates the possibility that a local municipality could manipulate the outcome of an election by opening up early voting locations in precincts expected to vote in a particular way, thus altering the composition of the participating electorate.

In 1997, there were allegations that such manipulation occurred in Bastrop, Texas. A school bond issue was soundly defeated in 1996 when only two early voting sites were open. In 1997, the School District rescheduled a vote. It opened many more early voting sites—but only at local schools with extended evening hours during school events; in other words, in areas inclined to support the school board.

About one-third of the votes were cast early, and the bond issue passed by a narrow margin. Over two-thirds of the early votes were in favor of the bond issue. If, however, the votes cast on election day had been the only votes counted, the bond issue would have failed.

Early voting also can hurt the integrity of the election process by limiting independent oversight of election procedures. The use of poll watchers at polling locations maintains the security of our election process and helps prevent vote fraud by voters and election officials. It is already difficult to find enough volunteers to cover polling locations in the larger counties on election day. Trying to organize such a poll-watching program at additional polling locations for up to three weeks will be nearly impossible.

AN EXPENSIVE MEASURE

Early voting significantly raises the cost of political campaigns. Most political candidates and campaigns spend the bulk of their money in the last few days before election day on direct mail, advertising, phone banking, and get-out-the-vote efforts. With early voting, such expenses will stretch over a much longer period, resulting in more expensive campaigns. Any candidate who cannot not raise and spend money on such efforts during the early voting period will be at an inherent disadvantage. Early voting will, therefore, increase the barrier to entry for potential candidates.

Early voting doesn't improve voter turnout, is expensive, and makes corruption of the voting process more likely.

Early voting can be very expensive for local government as well. Counties and municipalities hire hundreds of temporary workers on election day to staff polling locations. Harris County, Texas, for example, spends an additional $250,000 during each election to open just 26 additional polling locations for early voting.

Early voting doesn't improve voter turnout, is expensive, and makes corruption of the voting process more likely. This is one campaign reform we'd be better off without.

Hans von Spakovsky is an attorney and a member of the Board of Advisors of the Georgia Public Policy Foundation. Reprinted by permission from the Georgia Public Policy Foundation.

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Four Years of Welfare Reform: A Progress Report

by Lisa E. Oliphant

On August 12, 2000, the Cato Institute released Cato Policy Analysis *#378, "Four Years of Welfare Reform: A Progress Report," by Lisa E. Oliphant. The 44-page report may be purchased for $6 by mail at 1000 Massachusetts Avenue NW, Washington, DC 20001, or by phone at 202/842-0200. It is also available, free of charge, on the World Wide Web at www.cato.org.*

Four years ago, President Clinton signed into law the Personal Responsibility and Work Opportunity Reconciliation Act, promising to put an end to welfare dependency through work, responsibility, and two-parent families.

This conversion of the old entitlements-based Aid to Families with Dependent Children (AFDC) program into the new work-oriented Temporary Assistance for Needy Families (TANF) program has brought about some of the most talked-about public policy phenomena of the last decade, including reduced caseloads and an influx of single mothers into the labor market.

Welfare reform is generally regarded as a great success, and policymakers today speak primarily of incremental add-ons to the 1996 legislation.

A closer review of the research, however, reveals that celebrations over the success of welfare reform have been premature. The new law, in fact, merits fundamental restructuring. The key objectives of welfare reform are still far from being realized, despite states' success in cutting welfare rolls and moving more single mothers into work.

The key objectives of welfare reform are still far from being realized. The states' experimentation with work requirements and time limits has produced few long-term solutions to the country's dependence problem.

NOT YET SELF-SUFFICIENT

Although welfare caseloads fell 46 percent between 1996 and 1998, most people who have left the rolls have been short-term recipients who have benefitted from the nation's booming economy. Policymakers, four years into reform, continue to be faced with the critical task of tackling long-term dependence and its host of associated pathologies, including long-term joblessness, criminal behavior, and generational dependence.

Furthermore, although families who leave welfare for work are generally better off, most are achieving increased well-being through continued dependence on the public "supplemental" safety net. Welfare reform is failing to make former recipients self-sufficient.

Finally, the new law has failed to curb out-of-wedlock births to young mothers. Poor progress on this front means women are continuing to make choices that are strongly linked with welfare receipt and long-term dependence.

Four years into reform, the new welfare law emerges as a curative, second-best solution to welfare dependence. While continuing efforts to rehabilitate those who are currently inside the system, policymakers need to embrace prevention as the critical next step in welfare reform.

Until welfare is no longer available or an attractive option for women considering making untenable life choices, the country will continue to spend endless taxpayer dollars trying to clean up its dependence problem.

IN WITH THE NEW

Nineteen ninety-six is viewed as a landmark year for welfare reformers on all sides of the political spectrum. Through a bipartisan effort, the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) was signed into law, ending the historic federal entitlement to cash assistance.

Under the new law, states receive federal welfare dollars in the form of bloc grants and have broad flexibility in choosing how to use these funds to meet welfare reform's aims. Consequently, the country has turned into a learning lab in which states are experimenting with methods for achieving labor-market attachment, marriage, two-parent families, and poverty reduction.

The operating expenses for this learning lab have been anything but modest. As of 1998, almost all states had increased spending per welfare family since welfare reform was enacted, and nearly half were spending more than required by the new law. Of the states spending more than required, 16 had increased spending by 50 percent or more, and three had actually doubled the amount spent per family.

Moving welfare recipients into work and providing them with an array of supplemental non-cash benefits has carried a particularly high price tag for taxpayers. Over the last four years, nearly $9 billion has been spent on work-support programs for current and former recipients. The federal government is giving nearly $1 billion more each year to such programs than was spent by the federal and state governments together prior to the new law. At last count, the nation was also spending $80 billion on cash income supplements through earned income credits and other benefits like child care for low-income workers.

TOO SOON TO DECLARE VICTORY

With the help of a booming economy, welfare reform is proving, at best, to be a moderately effective means for shrinking welfare rolls and increasing work participation. The states' experimentation with work requirements and time limits has produced few long-term solutions to the country's dependence problem.

The new law's most celebrated success is having cut nearly 6 million individuals from the welfare rolls. Caseloads fell 46 percent between August 1996 and December 1999. But most who have exited the rolls have been cream-of-the-crop, short-term, relatively easy-to-employ recipients. Welfare reform has been largely unsuccessful in moving long-term unemployed, difficult-to-place individuals off cash assistance.

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Studies show that those who remain on the rolls four years into reform have less education, fewer basic skills, less previous job experience, and a longer history of welfare receipt than those who left welfare. The new law has demonstrated little potential for chipping away at long-term dependence.

Given an emerging "hard core" of dependent families and the probability that the economy will at some point begin to slow, it is unlikely that the rapid caseload declines of the last four years can be sustained. Indeed, welfare rolls in many states have been falling at a slower pace over the last two years, and in at least four states began to increase in 1998.

BEYOND CASELOADS

On a positive note, most who leave welfare for work have seen improvements in their well-being. As the nation's caseloads have plummeted over the last four years, more single parents and their children have advanced out of poverty. The combined income from full-time work at a minimum-wage job and supplemental supports such as federal and state Earned Income Tax Credits, food stamps, Medicaid, child care, and housing assistance should allow families to enjoy a higher level of financial well-being than they enjoyed while on welfare. Warnings of an impending "crisis" for recipients when they exit the rolls have been overblown.

Nevertheless, while families who leave welfare for work are better off, few are attaining self-sufficiency. Although more former recipients are managing to secure unsubsidized work than they did under AFDC, their jobs continue to be the same low-skilled, low-paying, no-benefits jobs secured by their predecessors. Moreover, fewer than 25 percent of former recipients manage to keep their jobs for an entire year; few get adequate on-the-job training and opportunities for advancement; and 30 percent eventually return to the welfare rolls.

Making welfare unavailable . . . would prove a far more effective method for reducing dependence than simply altering the terms under which benefits are offered.

For most welfare leavers, higher living standards are being attained at the cost of continued dependence. Two-thirds of former recipients continue to rely on state and federal earned income credits and government non-cash benefits for health care, food, child care, housing, and transportation.

Last, and most important, while the new law has made progress in diverting some potential new recipients from signing onto the rolls, it has been largely ineffective in averting out-of-wedlock childbearing by young women— the primary precursor to long-term dependence. Giving birth out of wedlock is the reason one-third of welfare recipients end up on the rolls, and it is the cause of most long-term dependence.

Despite provisions built into the new law to curb out-of-wedlock births, three-quarters of teenage mothers continue to give birth outside of marriage, and the proportion of all births that occur out of wedlock has risen consistently over the last four years. At present, one out of three children in this country is born out of wedlock, and most to women between the ages of 18 and 24.

WHAT'S NEXT?

The welfare system, having increased spending on current recipients and left the doors open to new entrants, still suggests to young mothers bearing children out of wedlock that they have chosen a socially acceptable and economically viable lifestyle. Continued generous funding of welfare programs is not only generating substantial waste, but is perpetuating the country's welfare dependence problem.

Regardless of the scale of caseload declines, states, under the new law, must continue to spend a predetermined amount of federal and state dollars on current recipients to qualify for federal TANF dollars. This so-called "maintenance of effort" requirement, based on states' spending levels in 1994, means states are frequently left searching for new ways to spend leftover money on welfare. Consequently, states often end up channeling money into ineffective and expensive programs and subsidizing the pathologies they wish to eliminate.

The maintenance of effort requirement was included in the new law to prevent competitive states from withdrawing support from the most needy individuals. Given current spending levels, Congress has little to fear that eliminating this provision would lead to a "race to the bottom." A more likely outcome would be savings for taxpayers, reinvestment of these dollars in more effective initiatives, and deterrence of potential single young mothers from making choices inextricably linked to welfare dependence.

If Congress continues federal funding of welfare based on historical spending levels, it should allow states to divert leftover TANF dollars to initiatives outside of welfare, or, preferably, back to taxpayers. States should be encouraged to save rather than spend welfare dollars.

But perhaps the most important step policymakers could take to end welfare dependence would be to prohibit new entrants to the system. Despite fortified efforts to divert new applicants from the welfare rolls (by encouraging them to seek help from relatives and charities, offering one-time lump-sum payments, etc.), states continue to allow new and returning entrants into the cash assistance system. Women will continue to drop out of school and have children out of wedlock so long as welfare remains an option.

Welfare reformers need to turn their efforts towards encouraging young women to (1) finish high school; (2) not get pregnant outside of marriage; and (3) get a job, any job, and stick with it. The most effective way policymakers can communicate this message is to remove welfare as an alternative for young women who fail to make smart choices.

WELFARE FIRMLY INTACT

Four years following passage of the new welfare law, the country's cash assistance system has undergone modest improvement. More individuals are having to work for their benefits, fewer remain on the rolls, a greater number are finding employment after they exit the system, and fewer are losing out in the transition from welfare to work.

On an overwhelming number of measures, however, welfare as we once knew it remains firmly intact. Those who leave welfare for work continue to be short-term, transitional cases; individuals who remain on the rolls are still supported by a generous array of cash and in-kind benefits; life after welfare continues to be characterized by low-wage employment, heavy reliance on supplemental benefits and frequent returns to the rolls; and the system continue to encourage dependence by allowing new entrants and providing generously for young women who give birth out of wedlock.

Congress needs to recognize that the solution to the country's dependence problem involves more than renewed efforts to wean current recipients off the welfare rolls. A more preventive approach is required, which involves making welfare no longer an attractive or viable alternative.

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A Vision for America, Beyond Race

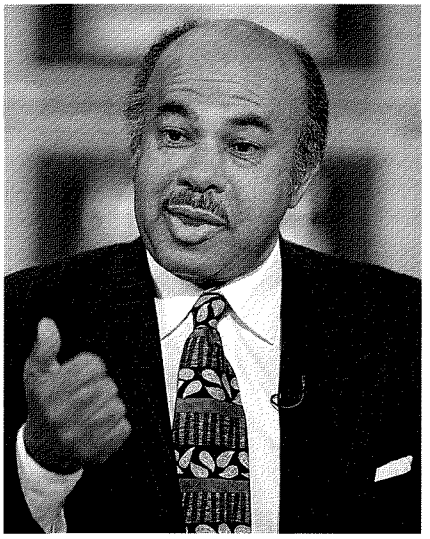
Ward Connerly

America is caught in a profound clash of values. On the one hand, there are those of us who believe, as President Kennedy said in 1963, "Race has no place in American life or law." We believe the Fourteenth Amendment protects the rights of individuals; that government derives power and authority from the American people; that there is a moral force from which we can draw our strength and guidance; and that certain principles are inviolate.

Then there are those who believe race matters; that we must use race to get beyond race; that the Fourteenth Amendment is intended to protect the rights of groups, to ensure that groups have equal opportunity and parity; and that nothing is inviolate and everything is up for grabs. Nowhere is this values conflict evidencing itself more than in matters related to race and color.

Over 70 percent of my fellow black Americans believed O.J. Simpson was not guilty of murder. Over 70 percent of my fellow white Americans affirmed his guilt. Seventy percent of Asians and whites believed a two-year limit on welfare benefits was acceptable. Seventy percent of blacks and Latinos believed that's unacceptable. We are equally divided on affirmative action. We're in a state of paralysis in our attempt to resolve this clash of values.

We live in a period when there are no men and women to match our mountains, when our political system has more cowards per capita than at anytime in our history. Some of our leaders are captives of identity politics. They hide behind words designed to blur sensitive issues and allow them to maintain support of some groups while not offending others: "Mend it, don't end it." Other elected officials run and hide from that which they privately profess to support.



We live in a period when there are no men and women to match our mountains, when our political system has more cowards per capita than at anytime in our history.

ONE, OUT OF MANY

So, in the absence of these virtues in our leaders, let us be forthright and unequivocal. We're not trying to eliminate preferences because we want to take opportunities away from women and minorities. We want to eliminate preferences because we believe doing so is the only way we can have an America in which its people are "one, out of many." We believe hard-working, high-achieving women and minorities should not have to live under the cloud of affirmative action and its insulting premise that we are incapable of winning in an open competition. We want a better America, and we're convinced that affirmative action, as we know it, is now standing in the way of that objective.

We believe the pursuit of happiness cannot occur for every American when we become a society of never-ending power struggles between organized racial, gender, and ethnic groups and when our government allocates opportunities on the basis of skin color, gender, and the spelling of last names.

We believe true diversity does not exist when black and Latino students are self-segregated on our college campuses with little or no interaction with white students and others. We believe separate graduation ceremonies for black and for Latino students at the University of California are not what Dr. King had in mind in his "I Have a Dream" speech, when he talked about little black boys and little black girls holding hands with little white boys and girls.

For 30 years, our nation has learned to share space, black and white. We must now in the next 30 years learn to share values. And once we learn to share values, our nation will be the better for it.

This is what Ronald Reagan had in mind, I believe, when he said: "Whether we come from poverty or from wealth, whether we are Afro-American or Irish American, Christian or Jewish, from big cities or small towns, in the eyes of God, we are all equal." But he wanted to say, in America, that's not enough. We have to be equal in the eyes of each other.

Building on the progress we have made in the last half of the twentieth century, there is a better America ahead. We are the ones who are going to take the nation there. We're not taking anything away. We're giving what our founders said was our destiny.

Ward Connerly is author of Creating Equal: My Fight Against Race Preferences *and chairman of the American Civil Rights Institute. This essay is an abbreviated version of a speech he gave in February 1997, when he was presented the Lincoln Leadership Award for Civic Virtue by the Independent Women's Forum.*

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